

Chapter 12 - Project Records

The Project Manager (PM) will develop or receive many documents and records while administering a construction project. Those documents and records include those that are needed to justify that the work has been done according to contract requirements and that payment has been properly made.

If the PM has a question about a requirement or an expectation that may seem confusing or even intimidating, the PM should contact the Region/BDU or the Construction Section for assistance.

At any time during the life of the project, the project documents and records may be reviewed or audited by a number of parties, including:

- Construction Section personnel
- ODOT's Internal Audit and Review group
- Federal Highway Administration
- Region personnel
- Representatives of Department of Justice or attorneys for Contractor
- Any other group performing an audit
- A person reviewing records under the Public Records Law

The project records:

- Provide documented evidence that the project was built with materials that were in conformance with contract requirements
- Provide documented evidence that the Contractor has been appropriately compensated for the work completed
- Record events and happenings on the project or that involved the project
- Justify that project costs are properly reimbursable with Federal or other funds

The records must be prepared in such a manner that anyone can review the documentation and understand how the project progressed, what materials were used on the project, and how much work was performed on the project without any explanation.

Organization of Project Records

For each project, the PM and the project staff must become familiar with conditions pertaining to all pay items and quality requirements, which are included in the project plans and specifications. They also must establish methods to determine quantities, to assure proper quality, and to organize the project records.

The documents and records associated with an ODOT construction project must be neatly organized, kept current, and filed in a manner that makes documents easy to find. Contact the Construction Section for further guidance.

An efficient means of organizing and tracking the project quality and quantity documentation is to use binders and notebooks that are divided by pay item. As the appropriate quality documentation is received, enter the information in the Test Summaries and place the documents in the quality notebook. As the quantity documentation is received, check the calculations and enter the payment information into the ODOT Contract Payments System (CPS) and place the documents in the quantity notebooks.

Contact the Region Assurance Specialist (RAS) or the Contract Administration Unit in the Construction Section for support or guidance in setting up project files. The RAS will periodically review the project documentation for compliance with the contract requirements during the life of the project.

Public Records and Disclosure

Project records are generally classed as public records, under Oregon's Public Records Law, and are available to be reviewed by the Contractor, attorneys, and anyone else who may now, or later, have an interest in the project.

Certain ODOT and project records are exempt from disclosure and should not be made available to persons other than ODOT employees. Two types of records that are generally exempt from disclosure are:

- Records pertaining to litigation when a complaint has been filed or is likely to be filed
- Communications, of an advisory nature within or between public bodies, with other than purely factual material that is preliminary to final agency action.

For records pertaining to litigation or potential litigation contact the Contract Administration Engineer. If you have a question about whether a specific document is exempt from public disclosure, contact the Contract Administration Engineer or the Assistant Attorney General assigned to ODOT. Do not provide any exempt records, to persons other than ODOT employees, without the authorization of the Assistant Attorney General assigned to ODOT or the Contract Administration Engineer.

When a non-ODOT employee is allowed to examine any records, safeguard the records from theft, damage, or destruction and record the event in a diary or memorandum. Include the date, place, persons present, and a listing of the records examined.

ODOT's Procedure ADM 7-04 specifies the procedure for providing access to or copies of public records and the charges for doing that.

Retention of Project Records

The Contract Administration Unit is responsible for storage of project documentation that is submitted to the Construction Section. Refer to Chapter 37- Submittal of Final Project Documentation.

Quality, quantity, and labor compliance documentation is combined with the Construction Section files and is retained for 20 years. Other project records must be retained for the following times:

- For all Federal-Aid projects (both exempt and non-exempt), retain for three years after ODOT has received the FHWA final payment
- For State projects, retain for three years after ODOT's project acceptance

The PM and Region Manager must retain all project records not submitted to the Construction Section for the above retention periods. These records may include correspondence, photographs, tape or other recordings, and pertinent project development records.

The Contract Administration Unit will notify the PM and Region Manager on an annual basis when project records are eligible for destruction and no longer need to be retained.